

[Dkt. Ent. 17, 22]

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
CAMDEN VICINAGE**

DAVE DONACHY, et al.,  
Plaintiffs,

v.

INTRAWEST U.S. HOLDINGS,  
INC., and PLAYGROUND  
DESTINATION PROPERTIES,  
INC.,

Defendants.

Civil Action No.  
10-4038 (RMB/KMW)

**ORDER**

THIS MATTER comes before the Court upon the Motion of Defendants Intrawest U.S. Holdings, Inc. and Playground Destination Properties, Inc. to Dismiss the Amended Complaint filed by Plaintiffs Dave and Carol Donachy, Anthony and Susan DiMeglio, Andrew and Charlene Wingfield, Richard and Suzanne Kucharski, Vincent and Donna LaRocca and Ali Imtiaz ("Plaintiffs"), see Dkt. Ent. 17, and the Motion for Leave to File a Sur Reply filed by Plaintiffs, see Dkt. Ent. 22; and the Court having considered the moving papers; and for the reasons expressed in the Opinion issued this date;

IT IS ON THIS 21st day of July 2011, HEREBY **ORDERED** as follows:

Defendants' motion to dismiss on the basis of the forum selection clause or, in the alternative, on the basis of forum non conveniens [Dkt. Ent. 17] is **DENIED**; and

IT IS FURTHER **ORDERED** that Plaintiffs' motion to file a sur-reply [Dkt. Ent. 22] is also **DENIED**.

s/Renée Marie Bumb  
RENÉE MARIE BUMB  
United States District Judge